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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/668,430

Filing Date

September 22, 2003

First Named Inventor

John F. Shanley

Group Art Unit

3731

Examiner Name

Unassigned

Attorney Docket Number

P038

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Supplemental Information
Disclosure Statement + PTO Form
1449 (5 pages)

☐ Certified Copy of Priority
Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional
Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below)

Return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

Conor Medsystems, Inc.
Cindy A. Lynch

38,699

Signature

Date

December 8, 2006

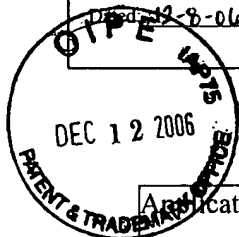
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Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:
Dated: 12-8-06 Signature: Abby Berghella (Abby Berghella)

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(Abby Berghella)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant of: John F. Shanley

Serial No.: 10/668,430

Art Unit: 3731

Filed: September 22, 2003

Examiner: Unassigned

For: Expandable Medical Device
with Openings for Delivery of
Multiple Beneficial Agents

Attorney Docket No.: P038

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A PTO-Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☒ Each publication and foreign patent reference;

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;

☐ all other information or portion which caused it to be listed on the PTO-1449.

- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
- 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- ☒ Before the mailing of the first Office action on the merits;
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
- ☐ to be charged to Conor Medsystems, Inc. Deposit Account No. 50-3100.
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Conor Medsystems, Inc. Deposit Account No. 50-3100.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not

Application No. 10/668,430
Attorney Docket No. P038

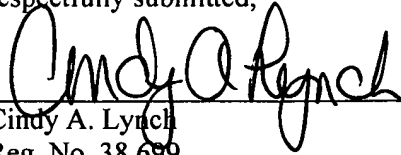
more than three months prior to the filing of this Information Disclosure Statement.

- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☐ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).
- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☐ Copies of publications listed on Form PTO-1449 from prior application Serial No. _____, filed on _____, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the foreign patents publications listed on Form PTO-1449 are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement.
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on _____.
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Conor Medsystems, Inc. Deposit Account No. 50-3100.

Application No. 10/668,430
Attorney Docket No. P038

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,



Date: December 8, 2006

Cindy A. Lynch
Reg. No. 38,699
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Substitute for forms 1449A/PTO & 1449B/PTO

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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney's Dkt. No.

P038

Application No.

10/668,430

Applicant

John F. Shanley

Filing Date

September 22, 2003

Group

3731

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US- 20040122505		Shanley	
	US-20010027291		Shanley	
	US-20020010507		De Scheerder et al.	
	US-20020013619		Shanley	
	US-20020038146		Ulf	
	US-20020107563		Shanley	
	US-20020165604		Shanley	
	US-20030009214		Shanley	
	US-20030033007		Sirhan et al.	
	US-20030105511		Welsh et al.	
	US-20030125803		Vallana et al	
	US-20030167085		Shanley	
	US-20030176915		Wright et al.	
	US-20030225420		Wardle	
	US-20040006382		Sohier	
	US-20040024449		Boyle	
	US-20040142014		Litvack, et al.	
	US-20040143321		Litvack, et al.	
	US-20040143322		Litvack et al.	
	US-20040166140		Santini et al	
	US-20040193255		Shanley, et al.	
	US-20040202692		Shanley et al.	
	US-20040204756		Diaz et al.	
	US-20040220660		Shanley, et al.	

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Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313.

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	Applicant John F. Shanley	
	Filing Date September 22, 2003	Group 3731

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-20040220665		Hossainy et al.	
	US-20040225350		Shanley	
	US-20050055078		Campbell	
	US-20050058684		Shanley et al.	
	US-20050060020		Jenson	
	US-20050074545		Thoman	
	US-20050075714		Cheng et al.	
	US-20050079199		Heruth et al.	
	US-20050100577		Parker et al.	
	US-20050113903		Rosenthal et al.	
	US-20050158360		Falotico et al.	
	US-20050222676		Shanley, et al.	
	US-20050228490		Hezi-Yamit et al.	
	US-20050234538		Litvack, et al.	
	US-20050234544		Shanley	
	US-20050238686		Hossainy et al.	
	US-20050251248		Chandresekara et al.	
	US-20050278016		Welsh et al.	
	US-20060008503		Shanley	
	US-20060009838		Shanley, et al.	
	US-20060030931		Shanley	
	US-20060064157		Shanley	
	US-20060096660		Diaz	
	US-20060122688		Shanley et al.	

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	Applicant John F. Shanley	
	Filing Date September 22, 2003	Group 3731

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-20060122697		Shanley et al.	
	US-20060177564		Diaz et al.	
	US-2006017834		Parker et al.	
	US-20060178735		Litvack et al.	
	US-5419760		Narciso	
	US-6331189		Wolinsky et al.	
	US-6334871		Ofer et al.	
	US-6565602		Rolando et al.	
	US-6635082		Hossainy et al.	
	US-6699281		Vallana et al.	
	US-6752829		Kocur et al.	
	US-6758859		Dang et al.	
	US-6764507		Shanley et al.	
	US-6774278		Ragheb et al.	
	US-6776796		Falotico, et al.	
	US-6783543		Jang	
	US-6805898		Wu et al.	
	US-6808536		Wright, et al.	
	US-6849089		Stoll	
	US-6852123		Brown	
	US-6855125		Shanley	
	US-6863685		Davila et al.	
	US-6929660		Ainsworth et al.	
	US-6981985		Brown et al.	

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	Applicant John F. Shanley	
	Filing Date September 22, 2003	Group 3731

U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-7056338		Shanley et al.	

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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney's Dkt. No.

P038

Application No.

10/668,430

Applicant

John F. Shanley

Filing Date

September 22, 2003

Group

3731

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Publication Date (mm-dd-yyyy)	Translation	
					Yes	No
	EP-1181903		EPO	2/2/2005		
	EP-1277449		EPO	1/22/2003		
	EP-1498084		EPO	1/19/2005		
	EP-1527754		EPO	5/4/2005		
	EP-1561436		EPO	8/10/2005		
	EP-1582180		EPO	10/5/2005		
	EP-1600180		EPO	11/30/2005		
	EP-875218		EPO	4/11/2998		
	EP-968013		EPO	10/19/2005		
	WO-0206506		PCT	8/8/2002		
	WO-02087586		PCT	11/7/2002		
	WO-0232347		PCT	4/25/2002		
	WO-03015664		PCT	2/27/2003		
	WO-03077730		PCT	9/25/2003		
	WO-04087015		PCT	10/14/2004		
	WO-04096176		PCT	11/11/2004		
	WO-05004945		PCT	1/20/2005		
	WO-05007035		PCT	1/25/2005		
	WO-05027794		PCT	3/31/2005		
	WO-05046521		PCT	5/26/2005		
	WO-05092242		PCT	10/6/2005		
	WO-05115277		PCT	12/8/2005		
	WO-05120397		PCT	12/22/2005		
	WO-06007473		PCT	1/19/2006		
	WO-06012034		PCT	2/2/2006		
	WO-06012060		PCT	2/2/2006		
	WO-9923977		PCT	5/20/1999		

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FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney's Dkt. No.

P038

Application No.

10/668,430

Applicant

John F. Shanley

Filing Date

September 22, 2003

Group

3731

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

JENNIFER L. WEST, "Drug Delivery - Pulsed Polymers." Nature Materials, Vol. 2, November, 2003, pp. 709-710.

PEDRO A. LEMOS, et al., "Drug-Eluting Stents," Euro PCR, 2004

P.W. SERRUYS, et al., "The Effect of Variable Dose and Release Kinetics on Neointimal Hyperplasia Using a Novel Paclitaxel-Eluting Stent Platform, Journal of the American College of Cardiology, Vol 46, No. 2, 2005

SUZUKI, et al., Stent-Based Delivery of Sirolimus Reduces Neointimal Formation in a Porcine Coronary Model, Circulation, September 4, 2001

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